

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 16, 2001

DIVISION ONE

B144841 Rigoberto A. et al. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (Los Angeles County Department Of Children And Family Services, r.p.i.)

We deny the petitions.

Ortega, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

B142276 People (Not for Publication)
 v.
 Omar Q.

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
 Mallano, J.

B135755 People (Certified for Publication)
 v.
 Willis

We reverse the judgment and remand the case for a new trial.

Ortega, Acting P.J.

I concur: Vogel (Miriam A.), J. (Opinion)
I dissent: Mallano, J. (Opinion)

DIVISION ONE (Continued)

B141095 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Raquel M.

The orders denying reunification services for mother with Ruben and Frank and Terminating parental rights over all five children are affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

DIVISION THREE

B136168 Krause (Not for Publication)
v.
Dinwiddie Construction

The judgment is reversed. Costs on appeal are awarded to Krause.

Aldrich, J.

We concur: Croskey, Acting P.J.
Kitching, J.

B126178 Robinson et al. (Not for Publication)
v.
Don D. Lukens, etc.

The judgment is affirmed. Each party to bear its own costs.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (Continued)

B138343 American Continental Insurance Company
v.
American Casualty Company of Reading, PA.

Filed order modifying opinion. (No change in the judgment)

B138832 Cook (Not for Publication)
v.
County of Los Angeles et al.

The summary judgment is reversed, and the trial court is directed to vacate its order granting Kahn's and Country Villa's motions for summary judgment and denying plaintiff's motion for leave to file a second amended complaint. The trial court is further directed to reexamine and rule on the latter motion in a hearing held specifically for that purpose. Costs on appeal to plaintiff.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B137443 Lerner (Not for Publication)
v.
Lerner

The order denying wife's post-judgment motion for relief is reversed and the cause is remanded for further proceedings consistent with the views expressed herein. Husband's request for sanctions is denied. Wife shall recover her costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B137683 Amjadi, et al. (Not for Publication)
v.
Board of Supervisors of The County of Los Angeles et al.

The order from which plaintiffs have appeal is affirmed. Costs on appeal to the county.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

[illegible]

The court is directed to (1) cause the minute order of December 3, 1999, and the abstract of judgment, to be modified to reflect that (a) the amount of \$1,000 as victim restitution pursuant to 1202.4 was a clerical error, and (b) the court's order was that because the amount of loss could not be determined at time of sentencing, the amount of the victim restitution was reserved for later determination by the court; (2) cause a copy of the amended abstract of judgment to be forwarded to the California Department of Corrections; and (3) hold a hearing to determine the appropriate amount of victim restitution, and to cause such amount, once determined, to be included in all appropriate records. The judgment is affirmed in all other respects.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (Continued)

B130222 People (Not for Publication)
v.
Carlton Blackman

Defendant's convictions on counts 5 and 7 are affirmed. However, the sentence on count 7 is vacated. On remand, the trial court shall consider, in its discretion, whether to run such sentence concurrently with the sentence imposed as to count 5, rather than consecutively, and re-sentence defendant accordingly. The trial court shall also cause the abstract of judgment to be corrected to reflect the sentence on count 7, as well as that the judgment has been modified to credit defendant with 53 days, rather than 177 days, of conduct credit.

Croskey, Acting P.J.

We concur: Aldrich, J.
Fidler, J. (Assigned)

B138371 People (Not for Publication)
v.
Tracy D. Jones

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Aldrich, J.
Fidler, J. (Assigned)

B132857 People (Not for Publication)
v.
Mauro Rodriguez Garcia

The judgment is reversed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

February 16, 2001-Continued

DIVISION THREE (Continued)

B137974 People (Not for Publication)
v.
George Yacoub

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Aldrich, J.
Fidler, J. (Assigned)

B135760 People (Not for Publication)
v.
Norman Cleotis Tucker

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B138220 People (Not for Publication)
v.
Beene

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Hastings, J.
Curry, J.

DIVISION FOUR (Continued)

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The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B143425 People (Not for Publication)
v.
Clarence V.

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B139692 People (Not for Publication)
v.
Pennywell

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B142390 The People ex rel. 20th Century Ins. Company (Not for Publication)
v.
Mesrop

The order is affirmed. Plaintiff is to have its costs on appeal.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B142017 Nathan
 v.
 Hanna

(Not for Publication)

The judgment is reversed insofar as it denies Mr. Nathan recovery of attorney's fees with respect to the petition to confirm the arbitration award. The matter is remanded to the trial court with directions to determine the amount of attorney's fees to which Mr. Nathan is entitled consistent with this opinion. The judgment is otherwise affirmed. The parties are to bear their own costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

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The judgment is affirmed. Respondent is awarded his cost of appeal.

Lewin, J. (Assigned)

We concur: Hastings, Acting P.J.
 Curry, J.